

Senate Bill 211

By: Senators Harper of the 7th, Wilkinson of the 50th, Black of the 8th, Anderson of the 24th, Walker III of the 20th and others

AS PASSED SENATE**A BILL TO BE ENTITLED****AN ACT**

1 To amend Article 4 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated,
2 relating to advertisement and sale of meat generally, so as to render unlawful the
3 representation of nonanimal products and non-slaughtered animal flesh as meat; to provide
4 for definitions; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 Article 4 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated, relating to
9 advertisement and sale of meat generally, is amended by revising Code Section 26-2-152 of
10 the Official Code of Georgia Annotated, relating to advertisement or sale of beef, pork, and
11 lamb, and "bait and switch" advertising, as follows:

12 "26-2-152.

13 (a) It shall be unlawful for any person, partnership, firm, company, or corporation to
14 advertise, sell, or offer for sale any carcass cuts of beef, pork, or lamb without prominently
15 disclosing the price per pound of such beef, pork, or lamb in all such advertisements or on
16 the packaging or display case in which the meat is displayed or offered for sale. This Code
17 section shall not apply to the sale of beef, pork, or lamb when sold for immediate
18 consumption on the premises or where sold as an unpackaged, cooked food or where sold
19 for purposes other than for human consumption.

20 (b) It shall be unlawful for any person, partnership, firm, company, or corporation to
21 employ 'bait and switch' advertising or sales techniques in connection with the sale of beef,
22 pork, or lamb or to use any other advertising or sales technique which is calculated to
23 deceive, or which in fact deceives, purchasers of beef, pork, or lamb as to what they are
24 purchasing or its quality or quantity. 'Bait and switch' as used in this subsection shall
25 mean, but shall not be limited to, the advertising of products with the intent not to sell the
26 products as advertised; or advertising products with the intent not to supply reasonably
27 expected public demand, unless the advertisement discloses a limitation of quantity; or

28 advertising a product which by accepted standards is inferior, with the expectation of
29 switching the consumer to a product of accepted standard at a higher price.

30 (c)(1) As used in this subsection the term:

31 (A) 'Animal' means any animal, including cattle, swine, sheep, goats, fish, and poultry,
32 including eggs, raised for the production of an edible product or products intended for
33 human consumption. The term also includes 'game animals' as such term is defined in
34 Code Section 27-1-2.

35 (B) 'Food' means articles used or processed for human consumption and components
36 of any such articles.

37 (2) It shall be unlawful for any person, partnership, firm, company, or corporation to
38 label, advertise, or otherwise represent any food produced or sold in this state as meat,
39 beef, pork, or any other such term generally utilized to describe animal based food, unless
40 at least 90 percent of such food is composed of the flesh, offal, or other by-product of any
41 part of the carcass of a live animal that has been slaughtered.

42 (3) It shall be unlawful for any person, partnership, firm, company, or corporation to
43 label, advertise, or otherwise represent any food produced or sold in this state as meat,
44 beef, pork, or any other such term generally utilized to describe animal based food if any
45 portion of such food contains cultured animal tissue produced from in vitro animal cell
46 cultures outside of the organism from which it is derived."

47 **SECTION 2.**

48 All laws and parts of laws in conflict with this Act are repealed.